

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STATE OF OHIO, <i>ex rel.</i> ,)	CASE NO. 1:11-CV-02474
DAVID P. JOYCE,)	
)	JUDGE JAMES GWIN
Plaintiff,)	
)	DEFENDANTS' UNOPPOSED
vs.)	MOTION TO EXCUSE ATTENDANCE
)	OF PARTY REPRESENTATIVES AT
MERSCORP, INC., <i>et. al.</i> ,)	CASE MANAGEMENT CONFERENCE
)	
Defendants.)	

Pursuant to Local Rule 16.3(b)(1) and the Court's Case Management Conference Plan/Order (Doc. No. 122), Defendants SunTrust Mortgage, Inc., CoreLogic Real Estate Solutions LLC, Bank of America Corporation, CCO Mortgage Corporation, Everhome Mortgage Company; MERSCORP, Inc., Mortgage Electronics Registration Systems, Inc., Home Savings & Loan Company of Youngstown, GMAC Residential Funding Corporation, MGIC Investor Services Corp., Nationwide Advantage Mortgage Company, United Guaranty Corporation, Corinthian Mortgage Corporation, PMI Mortgage Services Co., CitiMortgage, Inc., Citigroup, Inc. and Citibank, N.A., Fifth Third Bank, Deutsche Bank National Trust Company, Goldman Sachs Mortgage Company, GS Mortgage Securities Corp., The Huntington National Bank, N.A., KeyBank National Association, RBS Citizens, N.A., RBS Securities, N.A., HSBC Bank U.S.A., N.A., U.S. Bank, N.A., Wells Fargo Bank, N.A., JP Morgan Chase Bank, N.A. (collectively, "Defendants") respectfully request that the Court excuse their respective party representative's

personal attendance at the Case Management Conference (“CMC”) scheduled for May 14, 2012. In the alternative, the parties request that parties be allowed to attend by telephone, relief which the Court granted for the January 26, 2012 conference. If the Court grants this relief, the defendants will set up a conference line with sufficient lines to facilitate the call with the court.

Defendants file this motion because the party representative for the vast majority of the defendants are located at considerable distances out of state.¹ Attendance at the CMC would therefore require substantial time and expense for airline travel, and possibly overnight stays. Counsel for each of the Movants will be attending the CMC in person and will have full authority to discuss all existing issues as well as full settlement authority or immediate access to someone with full settlement authority.²

Moreover, a Motion to Dismiss all claims is presently pending before the Court, as well as briefing with respect to jurisdictional issues, and also briefing with respect to class certification. Defendants believe that settlement will be more productive after those issues have been resolved.

Counsel for Defendants have conferred with counsel for Plaintiff, who has no objection to the requested relief.

For the reasons set forth above, Defendant respectfully request that this Court permit their party representatives not be required to attend the CMC.

¹ As an example the following defendants are located in the following locations: SunTrust - Florida; CoreLogic - Texas; BAC - California; CCO - Massachusetts; and Everhome - Florida. Other defendants are located all over the United States.

² Although given the dispositive legal question, it is unlikely settlement will be reached before there is a ruling on the Motion to Dismiss which remains pending.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing *Motion to Permit Telephonic Attendance at Case Management Conference* was filed electronically on May 2, 2012. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's ECF system.

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